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## FACSIMILE TRANSMITTAL

DATE: May 9, 2002

TO: U.S. Patent & Trademark Office  
Examining Group 2800 FAX NO.: 1-703-872-9318

FROM: Steven M. Jensen FAX NO.: 617-439-4170

Our Docket No.: 56370 (71987) No. of Pages (incl. cover): 3

Re: U.S. Serial Number 09/929,765

MESSAGE:

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#5

Docket No. 56370 (71987)

5-22-02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

T. Flawes

APPLICANT: C. Liao

SERIAL NO: 09/929,765

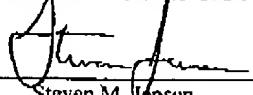
EXAMINER: M. Warren

FILED: August 14, 2001

GROUP: 2815

FOR: METHOD OF ELECTRICALLY CONNECTING SEMICONDUCTOR  
CHIP TO SOLDER BALLS ON BALL GRID ARRAY PACKAGECERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to Group 2800 of the U.S. Patent & Trademark Office by facsimile number 703-872-9318 on May 9, 2002.

By:   
Steven M. JensenFAX COPY RECEIVEDAssistant Commissioner for Patents  
Washington, D.C. 20231

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Sir:

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RESPONSE TO OFFICE ACTION

Applicant is in receipt of the Office Action dated April 9, 2002 of the above-identified application.

In response to the Restriction requirement, Applicant provisionally elects Group I, claims 6-10, with traverse. The present election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter of the application. Applicant reserves the right to file divisional application(s) on the non-elected claims.

Applicant traverses the restriction requirement on the basis that, while the claims of Groups I and II are drawn to a BGA package and method, respectively, the Examiner has failed to demonstrate that the method as claimed can be used to make "other and materially different product." According to MPEP §806.05(f), it is permissible to define a product in terms of a process by which it is made, in order to define the invention.

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The Office Action states that: "[i]n the instant case the method of providing electrically conductive vias could also be used to connect a stacked capacitor to a the source/drain of MOS transistor as opposed to connecting a chip to an array of solder balls" (Office Action, page 2).

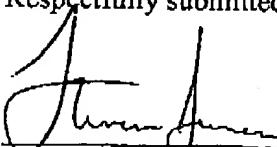
It has not been shown how the method as claimed "can be used to make other and materially different product." The claimed method, as embodied in claim 1, specifically recites "connecting a semiconductor chip to an array of solder balls" (preamble, emphasis added) and states that bond pads are formed "on the semiconductor chip" (lines 6-7) and recites other steps for connecting the semiconductor chip to the array of solder balls. If a capacitor were somehow connected using this method, such method would not make "other and materially different product" because both the claimed product and method require electrically connecting a chip to an array of solder balls. The addition of a capacitor would not alter the requirement in the claimed product that a semiconductor chip be electrically connected to the array of solder balls.

Withdrawal of the restriction requirement, and early consideration and allowance of the application are earnestly solicited.

Respectfully submitted,

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